

Post Board Screening Process

In 1986, the Chief of Staff of the Army (CSA) approved a post-board screening process for all COL-level promotion & command selectees. This process was expanded in 1988 to include LTC – level command and project/product manager selectees. In 2000, the Army G1 approved a post-board screening process for all CSM selects. These processes were established to ensure that only officers & NCOs of the highest standards are promoted or selected for command.

Here's what happens....
Immediately after the promotion selection board convenes, PERSCOM sends the list to the following four agencies for them to screen for substantive derogatory information: Criminal Investigation Command (CIC), the DA Inspector General (DAIG), the Central Clearance Facility (CCF), & to PERSCOM for review of the restricted microfiche. There is a 45-day suspense given to the agencies to perform this screen. All information received from the agency checks is forwarded to the

General Officer Review Board (GORB) or the CSM Review Board (CSMRB). The GORB & the CSMRB reviews all alleged derogatory information & determines if the information warrants referral to a Promotion/Command Review Board (PRB/CRB), or an Enlisted Standby Advisory Board (STAB).

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Privacy Act

Recently, there has been a number of allegations concerning the violation of soldier's Privacy Act Rights. When investigated, the allegations have proven to be procedural violations rather than reprisal actions. This indicates that leaders are unfamiliar with certain Privacy Act Rights of soldiers.

Scenario: A complainant alleges that her spouse, an active duty soldier, has failed to provide her with the correct amount of child support. A Commander's Inquiry, determined that the soldier is making the

correct payment --only -- he has three other children by a different woman, so the "complainant" is entitled to only 1/4 of his BAH = \$200.00 versus \$800.00.

Question: Is it appropriate for the IG office/chain of command to inform the complainant that the soldier is in compliance with AR 608-99, and reveal that the amount of the support is in a reduced amount (less than full BAH) because the soldier is also supporting children from a past relationship

with another woman?

Answer: No. In the absence of the soldier's consent, it is recommended that you inform your complainant that the soldier is in compliance with AR 608-99 and that you not reveal his information regarding the other children. If the complainant seeks discovery of this information through submission of a Freedom of Information Act (FOIA) request, a legal analysis would be along the lines discussed below.

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Frequently Asked Questions

The kids are out of school and there are some great deals at Disney World ... it's time to take some time off. Occasionally, we receive calls from leadership regarding passes and how they work, so here are some guidelines.

A soldier requests a pass in conjunction with leave.

Q: Can the commander approve this leave?

A: It depends.

- Regular and special passes. Passes are issued on the basis of days instead of the number of hours to be taken. The restriction on the number of hours for passes no longer applies. MILPER Msg 01-055.
- **Three-day pass.** A 3-day pass starts at the end of normal duty hours and terminates at the start of normal duty hours on the 4th day.
Three-day Regular pass which includes a holiday. A soldier may depart on a 3-day pass on Friday evening after duty work and return in time for normal duty hours Tuesday morning.
Three-day special pass. A soldier may depart on a 3-day pass on Monday evening after work and return in time for duty Friday morning.
Four-day pass. A 4-day pass starts at the end of normal duty hours on the 5th day. A 4-day pass starts at the end of normal duty hours on the 5th day. A 4-day pass must include at least 2 consecutive non-duty days. For example:
-- A soldier may depart on a 4-day pass on Friday evening after duty hours & must return in time for the start of normal duty hours on Wednesday morning.
-- A soldier may depart on a 4-day pass on Wednesday evening after duty hours and must return in time for normal duty hours on Monday morning.
- A *special pass* may not be, **repeat** "May Not Be," combined with a regular pass, another special pass, or with leave. *Whereas, a Regular Pass may be combined with regular leave.*

So in our example, if the soldier was granted a Regular Pass (e.g. Friday – Monday) **and returns to his place of duty**, the Commander may approve leave with a start date of Tuesday. *Meaning, that the soldier cannot take pass to Orlando, FL on Friday & sign out on leave Tuesday from Orlando, FL.*

Privacy Act continued from page 1

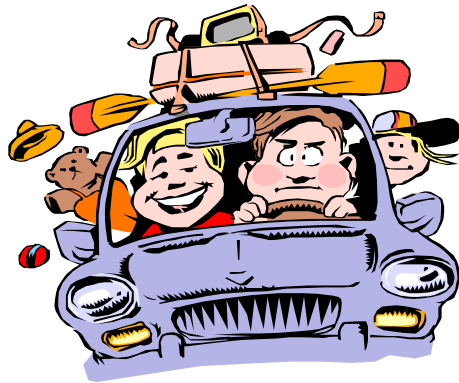
Analysis. First, the Privacy Act will not let the Army withhold information that is required to be released under the FOIA (5 USC 552a(b)(2)). FOIA Exemption 6 permits the government to withhold all information about individuals in "personnel and medical files and similar files" when the disclosure of such information "would constitute a clearly

unwarranted invasion of personal privacy." According to the Department of Justice, "the courts have most vigorously protected the personal, intimate details of an individual's life -- consistently protecting personal information that, if disclosed, is likely to cause the individual involved personal distress or embarrassment. Courts regularly uphold the nondisclosure of

information concerning marital status, legitimacy of children," and other personal information.

Here's a link to the Privacy Act notice for information found in the MPRJ. The notice describes the contents of the MPRJ and routine disclosures.

http://www.defenselink.mil/privacy/notices/army/A0600-8-104_TAPC.html



It's Summer Vacation



The Uniform Corner will identify trends in common uniform violations and late breaking Changes to uniform policy. The source of information is AR 670-1 and MILPER messages.

Uniform Corner

Over the past few months we've noticed female soldiers wearing their hair in violation of Army Regulation, so we decided to provide a refresher on the standards.

Females will ensure their hair is neatly groomed, that the length & bulk of the hair are not excessive, & that the hair does not present a ragged, unkempt, or extreme appearance. Likewise, trendy styles that result in shaved portions of the scalp (other than the neckline) or designs cut into the hair are prohibited. Females may wear braids and cornrows as long as the braided style is conservative, the braids and cornrows lie snugly on the head, & any hair-holding devices comply with the standards. Dreadlocks

Hair and Fingernail standards

(unkempt, twisted, matted individual parts of hair) are prohibited in uniform or in civilian clothes on duty. Hair will not fall over the eyebrows or extend below the bottom edge of the collar at any time during normal activity or when standing in formation. Long hair that falls naturally below the bottom edge of the collar, to include braids, will be neatly & inconspicuously fastened or pinned, so no free-hanging hair is visible. **This includes styles worn with the physical fitness uniform.**

Ponytails: Ponytails, pigtails, or braids that are not **secured** to the head

(allowing hair to hang freely), widely spaced individual hanging locks, & other extreme styles that protrude from the head are prohibited.

FINGERNAILS

Males will keep nails trimmed so as not to extend beyond the fingertip. Females will not exceed a nail length of **1 /4 inch**, as measured from the tip of the finger. Females will trim nails shorter if the commander determines that the longer length detracts from the military image, presents a safety concern, or interferes with the performance of duties. Females will not wear shades of nail polish that distinctly contrast with their complexion, that detract from the uniform, or that are extreme.

Some examples of extreme colors include, but are not limited to, purple, gold, blue, black, white, bright (fire-engine) red, khaki, camouflage colors, and fluorescent colors. Soldiers will not apply designs to nails or apply two-tone or multi-tone colors to nails.

Uniform Bob says . . . What's up with Sunglasses?

Dear Bob: With summer here, I have soldiers running around in all kinds of sunglasses and I'm not sure what's ok to wear. Can you set me straight? P.S. I've got soldiers showing up in formation with pink sunglasses and I'd dearly love to tell them to take them off. Sincerely, 1SG Ray Bans

Dear 1SG: Say no more! Think Conservative when it comes to eyewear. And I can guarantee you that "*pink*" is not considered conservative in the U.S. Army. Not to mention that your soldiers shouldn't be wearing sunglasses while in formation

(*this applies to both prescription & nonprescription sunglasses.*) Here's some more info to clarify Army regs. Eyeglasses or sunglasses that are trendy, or have lenses or frames with initials or designs **are not** authorized for wear. It's a commander's call to define 'trendy' for their units. Tell your soldiers to put away the lenses that have extreme or trendy colors. Red, yellow, blue, purple, bright green, or orange are for Hawaiian shirts, not for soldiers in uniform. The lens colors

must be traditional gray, brown, or dark green shades. Lenses or frames that are so large or so small that they detract from the appearance of the uniform are out as well. Regarding contact lenses, tinted or colored contact lenses are No Gos. The only exception is for opaque lenses that are prescribed medically for eye injuries. Additionally, clear lenses that have designs on them that change the contour of the iris **are not** authorized. Why someone wants to change their iris I'll never know.....



"I've got soldiers showing up in formation with pink sunglasses and I'd dearly love to tell them to take them off."

MANDATORY SUPERVISORY TRAINING FOR CIVILIAN AND MILITARY SUPERVISORS OF CIVILIAN EMPLOYEES



“Army policy requires all newly appointed first time military & civilian supervisors”

Army policy requires all newly appointed first time military & civilian supervisors of civilian employees to complete the Supervisor Development Course (Phase I) & then to attend the Leadership, Education & Development (LEAD) course (Phase II)

The Supervisor Development Course number 131 F21 is available through the Army Correspondence Course Program (<http://www.atsc.army.mil/accp/civilian.htm>) It consists of two sub courses, ST-5001 and ST-5002. The purpose of ST-5001 is to provide new (first time) supervisors of civilian employees basic skills in managing work & leading people. The ST-

5002 provides information/skills in position classification, performance management, labor relations, hours of work & leave, Civilian Personnel Offices, Staffing, Human Resources Development, incentive awards, managing discipline & performance, Complaints, Grievances, & Appeals.

LEAD is a 40-hour mandatory supervisory course designed to develop & refine leadership & management skills of civilian supervisors. LEAD promotes a better understanding of leadership styles, counseling skills, motivational techniques & Army leadership

competencies. LEAD serves as a companion course to the Supervisory Development Correspondence Course, which focuses on the training of administrative knowledge & skills required by new supervisors. Information on scheduling Lead (phase II) training can be found at <http://gordon.army.mil/dhr/Tng/cosleadltr.htm> or contacting organization training managers.

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When the GORB & the CSMRB reviews the alleged derogatory information, the gravity of the incident with extenuating circumstances / passage of time, including intervening duty performance are all taken in consideration. Non-relevant information is not forwarded to the CRB/PRB/STAB.

Officers referred to a PRB are flagged & notified of their status. They are provided a copy of the alleged derogatory information and given 45 days to submit a rebuttal. The officer's rebuttal, along with the performance fiche, ORB, & official photograph is then

referred to a CRB/PRB. The CRB/PRB determines if the information is enough to warrant the officer's removal from the selection list. The results of the PRB/CRB are then forwarded for decision to the SA for promotions & the CSA for command review boards.

NCOs referred to a STAB are notified of their status. They are provided a copy of the alleged derogatory information & given 30 days upon receipt of the notification letter to submit any information on their

behalf, attesting as to why they should be retained on the CSM selection list. They are informed that until a final determination is made, they are deferred from appointment to CSM (this does not stop the promotion to SGM). The NCO's rebuttal, along with the ERB & DA Form 2-1, is forwarded to a STAB. The STAB will recommend to the CSA removal from the selection list or retention on the selection list. Approved results of the STAB are then forwarded to the NCO concerned.

IGs are required to report any allegations against Field Grade Officers (MAJ, LTC, COL) & Senior NCOs (MSG, SGM, CSM) to the Department of the Army Inspector General (DAIG).

DOD Administrative Grievance System (AGS)

Disclaimer: Presented below is a snapshot of the AGS procedures for filing a grievance. The complete instructions for filing a grievance are contained in DOD 1400.25-M, Administrative Grievance System.

What is AGS? A DOD policy that DOD employees shall be entitled to present a grievance & have it considered expeditiously, fairly, and impartially, & resolved as quickly as possible. Employees may represent themselves, or may select a representative of choice (whom does not pose a conflict of interest). All persons involved will be free from restraint, interference, coercion, discrimination, or reprisal.

- Employees and their representatives shall have full access to relevant information.
- Employees will be permitted a reasonable amount of official duty time to present grievances & to communicate with management & personnel officials.

Who is covered?

- Current appropriated fund non-bargaining unit (non-exempt) DOD employees, former DOD employees with matters arising during their previous employment.
- Appropriated fund bargaining unit (exempt) DOD employees when a matter covered by AGS cannot be grieved under any other procedure.

What matters can be grieved under AGS? Working conditions, adverse actions, work relationships, application of personnel policies, etc.

Part 1 – Problem-Solving Process

- An employee may informally present (orally or in writing) a work-related problem to his/her immediate supervisor or next level supervisor (if the problem is related to the immediate supervisor).
- The supervisor must consider & attempt to resolve the problem within 15 days & not later than 30 days from the date the problem was brought to his/her attention. If the problem is presented in writing, then the determination must be presented in writing.

Part 2 – Grievance Process

- When a problem is not resolved through the problem-solving process, an employee may file a formal, written grievance with the designated deciding official.

Note: Deciding Official. A deciding official must be assigned to an organizational level higher than any employee involved in the grievance or having a direct interest in the matter being grieved unless the deciding official is the head of DOD Component, installation, or activity.

- If the employee used the problem-solving process, the employee must file a grievance not later than 15 days from the conclusion of that process
 - When the employee raises the matter initially as a grievance (omitting the problem-solving process), the employee must present the grievance within 15 days following the date of the act/event that created the problem or when the employee became aware of the act/event.
- The grievance must be signed, dated, & contain a sufficiently detailed statement of the specific issue (s) & the specific personal remedy sought; documentation related to the grievance; & the name, address, & telephone number of the employees representative, if any.
- The deciding official will fully & fairly consider the grievance & issue a written decision with supporting rationale for the decision not later than 60 days from the filing of the grievance. The deciding official's decision on the merits of the grievance is final & not subject to further review. If the deciding official fails to render a decision within 90 days without mutual agreement on the timeframe or cancels a grievance, the employee may request review by the next higher management level.



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